

REMARKS/ARGUMENTS

The Office Action mailed June 24, 2004 has been reviewed and carefully considered. Claims 1 and 11 have been amended. Claims 40-47 are added. Claims 1-47 are pending in this application, with claims 1 and 11 being the only independent claims. Reconsideration of the above-identified application, as herein amended and in view of the following remarks, is respectfully requested.

In the Office Action mailed June 24, 2004, the drawings are objected to because Fig. 1 should be labeled as prior art. Fig. 1 has been amended in accordance with the Examiner's suggestion and a replacement sheet is attached hereto showing the amended drawing. Accordingly, the objection to the drawing should now be withdrawn.

Claims 1-5, 12, and 14-17 stand rejected under 35 U.S.C. §103 as unpatentable over Applicant's admitted prior art (APA) in view of U.S. Patent No. 6,263,207 (Kito).
Claims 6, 11, 19-23 and 36 stand rejected under 35 U.S.C. §103 as unpatentable over APA and Kito in further view of US 5,737,365 (Gilbert).

Claims 7-8 and 37-38 stand rejected under 35 U.S.C. §103 as unpatentable over APA and Kito and further in view of U.S. Patent No. 6,324,170 (McClennon).

Before discussing the cited prior art and the Examiner's rejections of the claims in view of that art, a brief summary of the present invention is appropriate. The present invention relates to a system and a method for routing communications in a network. According to the present invention, a telecommunication network includes base stations 20-23, wherein base stations 20-21 are linked to a base station controller (BSC) 24 by communication links 26, 27 respectively, and base stations 22-23 are linked to a BSC 25 by communication links 28, 29, respectively (page 6,

lines 1-5; and Fig. 2 of the specification). The BSCs 24, 25 are connected to a network controller 30 by communication links 32, 33, respectively (page 6, lines 9-10).

The network controller 30 is linked to a public telephone network 34, a cellular telephone network 36, and a data network 38 to allow call to terminals 35, 37, 39 (page 6, lines 12-19). A mobile terminal 40 can thus communicate with any of the terminal 35, 37, 39 (page 6, lines 20-22). As mobile terminal 40 moves, a need may arise for handover from one base station to another (page 7, lines 1-3). According to the present invention, the decision on when to handover takes into account the quality of segments other than the radio link (see page 7, lines 13-21, and page 8, lines 1-2).

Independent claim 1 has been amended to recite "each of said first route and second route comprising at least one radio link segment and other non-radio link segments" and "determining whether the first terminal unit is to communicate with the second terminal unit via the first or second base stations in dependence on factors that include quality of at least part of the first and second routes, wherein said at least a part of the first and second routes is at least one of the other non-radio link segments".

The admitted prior art discloses that mobile terminals roam and are thus handed over from base station controller to base station controller based on radio air link quality (see page 2, the paragraph starting on line 3). Accordingly, the admitted prior art fails to teach or suggest "determining whether the first terminal unit is to communicate with the second terminal unit via the first or second base stations in dependence on factors that include quality of at least part of the first and second routes, wherein said at least a part of the first and second routes is at least one of the other non-radio link segments", as expressly recited in independent claim 1.

Kito discloses a mobile radio communication system and radio circuit controlling method therefor. According to Kito, mobile stations 14, 18 are connected to a plurality of base stations 12, 13 (see col. 4, lines 59-63). Mobile station 14 measures reception levels and this measurement is used to determine transmission power (col. 5, line 56 - col. 6, line 2). Furthermore, a radio controller 35 detects congestion in the wireless zones of base station 12, 13 and switches a connection between the base stations in response thereto. Since Kito only discloses that the congestion in the wireless zone is detected, Kito fails to disclose teach or suggest "determining whether the first terminal unit is to communicate with the second terminal unit via the first or second base stations in dependence on factors that include quality of at least part of the first and second routes, wherein said at least a part of the first and second routes is at least one of the other non-radio link segments", as expressly recited in independent claim 1.

In view of the above amendments and remarks, it is respectfully submitted that independent claim 1 is allowable over APA in view of Kito.

Independent claim 11 has been amended to recite "estimating the quality of at least part of the first and second routes, wherein the at least a part of the first and second routes is at least one of the other non-radio link segments". As stated above, APA discloses that the handover may be determined based on radio air link quality. There is no teaching or suggestion for estimating the quality of a route segment including a non-radio link. Kito discloses detecting congestion in wireless zones. Accordingly, Kito also fails to teach or suggest estimating quality of a route segment including a non-radio link.

Gilbert fails to teach or suggest what APA and Kito lack. Gilbert discloses a method and apparatus for determining a received signal quality estimate of a trellis code modulated signal. As shown in Figs. 6-8, and described at col. 5, lines 7-30, Gilbert relates to the estimation of the

signal quality of RF signals. Accordingly, there is no teaching or suggestion for "estimating the quality of at least part of the first and second routes, wherein the at least a part of the first and second routes is at least one of the other non-radio link segments", as expressly recited in independent claim 11.

In view of the above amendments and remarks, it is respectfully submitted that independent claim 11 is allowable over APA, and Kito, in view of Gilbert.

Dependent claims 2-10 and 12-47, each being dependent on one of independent claims 1 and 11, are deemed allowable for at least the same reasons expressed above with respect to independent claims 1 and 11.

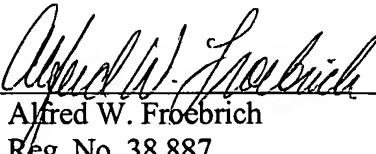
Support for new claims 40-47 is found on page 8, line 17 to page 9, line 8.

The application is now deemed to be in condition for allowance and notice to that effect is solicited.

A check in the amount \$144.00 is enclosed in payment for the addition of 8 new claims.

It is believed that no additional fees or charges are required at this time in connection with the present application. However, if any additional fees or charges are required at this time, they may be charged to our Patent and Trademark Office Deposit Account No. 03-2412.

Respectfully submitted,
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